

COOPERATIVE FISHERIES MANAGEMENT ACT OF 1996

APRIL 15, 1996.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 2160]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 2160) to authorize appropriations to carry out the Interjurisdictional Fisheries Act of 1986 and the Anadromous Fish Conservation Act, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Cooperative Fisheries Management Act of 1996”.

SEC. 2. REAUTHORIZATION OF INTERJURISDICTIONAL FISHERIES ACT OF 1986.

Section 308 of the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4107) is amended—

(1) by amending subsection (a) to read as follows:

“(a) GENERAL APPROPRIATIONS.—There are authorized to be appropriated to the Department of Commerce for apportionment to carry out the purposes of this title—

“(1) \$3,400,000 for fiscal year 1996;

“(2) \$3,900,000 for fiscal year 1997; and

“(3) \$4,400,000 for fiscal year 1998.”;

(2) in subsection (c) by striking “\$350,000 for each of the fiscal years 1989, 1990, 1991, 1992, and 1993, and \$600,000 for each of the fiscal years 1994 and 1995,” and inserting “\$650,000 for fiscal year 1996, \$700,000 for fiscal year 1997, and \$750,000 for fiscal year 1998,”; and

(3) in subsection (d)—

(A) in the heading by striking “GRANTS” and inserting “ASSISTANCE”;

(B) in paragraph (1) by striking “award grants to persons engaged in commercial fisheries, for uninsured losses determined by the Secretary to have been suffered” and inserting “help persons engaged in commercial fisheries, either by providing assistance directly to those persons or by providing assistance indirectly through State and local government agencies and nonprofit organizations, for projects or other measures to alleviate harm determined by the Secretary to have been incurred”;

(C) in paragraph (3), by striking “a grant” and inserting “direct assistance to a person”;

(D) in paragraph (3) by striking “gross revenues annually,” and inserting “net revenues annually from commercial fishing.”;

(E) by striking paragraph (4) and inserting the following:

“(4)(A) Assistance may not be provided under this subsection as part of a fishing capacity reduction program in a fishery unless the Secretary determines that adequate conservation and management measures are in place to rebuild the fishery over a reasonable time period.

“(B) As a condition of awarding assistance with respect to a vessel under a fishing capacity reduction program, the Secretary shall—

“(i) prohibit the vessel from being used for fishing; and

“(ii) require that the vessel be—

“(I) scrapped or otherwise disposed of in a manner approved by the Secretary; or

“(II) donated to a nonprofit organization and thereafter used only for purposes of research, education, or training.

“(C) A vessel that is prohibited from fishing under subparagraph (B) shall not be eligible for a fishery endorsement under section 12108(a) of title 46, United States Code, and any such endorsement for the vessel shall not be effective.”; and

(F) in paragraph (5) by striking “for awarding grants” and all that follows through the end of the paragraph and inserting “for receiving assistance under this subsection.”.

SEC. 3. REAUTHORIZATION OF THE ANADROMOUS FISH CONSERVATION ACT.

Section 4 of the Anadromous Fish Conservation Act (16 U.S.C. 757d) is amended to read as follows:

“SEC. 4. (a)(1) There are authorized to be appropriated to carry out the purposes of this Act not to exceed the following sums:

“(A) \$4,000,000 for each of fiscal years 1996 and 1997.

“(B) \$4,250,000 for fiscal year 1998.

“(2) Sums appropriated under this subsection are authorized to remain available until expended.

“(b) Not more than \$625,000 of the funds appropriated under this section in any one fiscal year shall be obligated in any one State.”.

PURPOSE OF THE BILL

The purpose of H.R. 2160 is to authorize appropriations for the Anadromous Fish Conservation Act and the Interjurisdictional Fisheries Act of 1986.

BACKGROUND AND NEED FOR LEGISLATION

The Interjurisdictional Fisheries Act of 1986 (IFA) was enacted to encourage the cooperative management of interjurisdictional fishery resources. These include nearshore fisheries in waters under the jurisdiction of one or more States and the Federal Government; fisheries resources that migrate between the waters of several States bordering the Great Lakes; or fisheries for which an interstate management plan exists.

Under the IFA, grants are made to States for research projects supporting management and conservation of interstate or Federally-managed fisheries. The Secretary of Commerce is authorized to provide funds for research programs to enhance the management

of interjurisdictional fisheries. State eligibility criteria and funding apportionment are designed to create incentives for States to engage in cooperative interstate fishery management.

The IFA also authorizes the National Marine Fisheries Service (NMFS) to assist in funding the Atlantic, Gulf, and Pacific States Marine Fisheries Commissions in developing interstate fishery management plans. In addition, the IFA authorizes emergency grants to States to help mitigate the impacts of commercial fishery resources disasters. The Federal Government's share of any disaster assistance program may not exceed 75 percent of the total projected cost.

The Anadromous Fish Conservation Act (AFCA) was enacted to manage, conserve and enhance anadromous fishery resources (species of fish that spend a portion of their life cycle in salt water and ascend rivers or other fresh water sources to spawn). The AFCA establishes the only comprehensive Federal grant program specifically designed to assist anadromous fish resources, including salmon, shad, steelhead trout, striped bass, sturgeon, and walleye, all of which contribute significantly to fishery programs in 32 coastal States.

The AFCA authorizes the Federal Government to enter into cooperative agreements with States and other non-Federal organizations for projects to carry out the objectives of the AFCA. Federal assistance is authorized in the form of matching grants to States for the survival of anadromous fisheries and the collection of statistical data and participants are required to provide 50 percent of the project costs. Projects implemented by more than one State are eligible to receive up to 66 percent Federal support, and projects involving fishery resources managed under an interstate management plan are entitled to Federal support of up to 90 percent.

Both laws are administered by the National Oceanic and Atmospheric Administration (NOAA) in the Department of Commerce. The authorizations for appropriations for these laws expired on September 30, 1995.

COMMITTEE ACTION

H.R. 2160 was introduced on August 2, 1995, by the Chairman of the Subcommittee on Fisheries, Wildlife and Oceans, Jim Saxton. The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Fisheries, Wildlife and Oceans.

On June 8, 1995, the Subcommittee held a hearing on the Interjurisdictional Fisheries Act of 1986 (IFA), the Anadromous Fish Conservation Act (AFCA), and several other U.S. Fish and Wildlife Service; Dr. Nancy Foster, Deputy Director, NMFS; Dr. Paul Sandifer, Vice Chairman, Atlantic States Marine Fisheries Commission; and Mr. Brad Gilman, Representative, Pacific States Marine Fisheries Commission. All witnesses testified in support of these two important fishery laws.

On August 3, 1995, the Subcommittee met to mark up H.R. 2160. The bill was ordered favorably reported by voice vote to the Full Committee without amendment.

On October 18, 1995, the subcommittee on Fisheries, Wildlife and Oceans held an oversight hearing on the Federal disaster relief

assistance programs for fishermen in the Northeast, Northwest and Gulf of Mexico who face economic hardships as a result of declining fish stocks. Testimony was received from Mr. John K. Bullard, Director, Office of Sustainable Development, National Oceanic and Atmospheric Administration. Mr. Bullard testified in support of the reauthorization of the IFA and he recommended specific changes to the Act to facilitate the implementation of fishery disaster programs.

On March 13, 1996, the Full Committee on Resources met to consider H.R. 2160. An amendment to change section 308(d) of the IFA to allow NMFS to expend money already appropriate for fishery disaster programs was offered by Congressman Peter Torkildsen, and adopted by voice vote. The bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote in the presence of a quorum.

SECTION-BY-SECTION ANALYSIS

SECTION 1. SHORT TITLE

This Act maybe cited as the "Cooperative Fisheries Management Act of 1996."

SECTION 2. REAUTHORIZATION OF INTERJURISDICTIONAL FISHERIES ACT OF 1986

This section amends section 308 of the Interjurisdictional Fisheries Act of 1986 to authorize appropriations at \$3,400,000 for Fiscal Year 1996; \$3,900,000 for Fiscal Year 1997; and \$4,400,000 for Fiscal Year 1998. In addition, authorizations are provided for development of management plans at \$650,000 for Fiscal Year 1996; \$700,000 for Fiscal Year 1997; and \$750,000 for Fiscal Year 1998. This funding will support the Atlantic States, Gulf States, and Pacific States Marine Fisheries Commissions. The funding levels for the IFA are approximately half existing authorization levels.

Section 2 also amends subsection 308(d) of the IFA to allow assistance funds to be provided directly to fishermen or indirectly through State and local government agencies and non-profit organizations. This section removes the provision which limits the amount an individual can receive to 75 percent of the uninsured loss. In the Pacific Northwest, fishermen have been hired using this authorization to participate in habitat restoration and data collection programs. If the cap remained in place, many fishermen would be in danger of exhausting their eligibility to remain employed in these programs.

Subsection 308(d)(3) of the IFA is amended to allow direct assistance to a person and changes "gross revenues" to "net revenues annually from commercial fishing". In addition, subsection 308(d)(4) is amended to remove the \$100,000 limit in the total grant to one person. The \$2 million New England buy-out pilot program determined that 95 percent of the bids received from fishermen exceed \$100,000. Therefore, NOAA could not effectively conduct a vessel buy-out program under this Act without these changes, because they would be limited to purchasing vessels valued under \$100,000. This section as amended will allow NOAA to remove these vessels which have the biggest effect on the fishery.

The amendments made by section 2 also stipulate that prior to expending any of the fishery disaster money for a vessel buy-out, the Secretary is required to make a determination that adequate conservation and management measures are in place to rebuild the fishery over a reasonable time period. This requirement reinforces the statements of Department of Commerce Secretary that the buy-out program must move forward in conjunction with a rebuilding program to ensure a healthy groundfish fishery in the future. This section requires the Secretary to prohibit vessels that are purchased in the buy-out from being used in any fishery. The Secretary may accomplish this by scrapping or otherwise disposing of the vessel or donating the vessel to a nonprofit organization only for research, education, or training. A vessel that is prohibited from fishing is not eligible for a fishery endorsement under section 12108(a) of Title 46, United States Code.

SECTION 3. REAUTHORIZATION OF ANADROMOUS FISH CONSERVATION ACT

This section amends section 4 of the Anadromous Fish Conservation Act to authorize \$4,000,000 for Fiscal Years 1996 and 1997; and \$4,250,000 for Fiscal Year 1998. In addition, a \$625,000 per State cap is set for any one fiscal year. These authorization levels are less than half existing levels.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS.

With respect to the requirements of clause 2(l)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 2160 will have no significant inflationary impact on prices and costs in the operation of the national economy.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 2160. However, clause 7(d) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 2160 does not contain any new budget authority, credit authority, or an increase or de-

crease in revenues or tax expenditures. The bill does authorize additional discretionary spending.

2. With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 2160.

3. With respect to the requirement of clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 2160 from the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 4, 1996.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2160, the Cooperative Fisheries Management Act of 1995.

Enactment of H.R. 2160 would affect direct spending; therefore, pay-as-you-go procedures would apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JAMES L. BLUM
(For June E. O'Neill, *Director*).

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 2160.
2. Bill title: Cooperative Fisheries Management Act of 1995.
3. Bill status: As ordered reported by the House Committee on Resources on March 13, 1996.
4. Bill purpose: H.R. 2160 would amend the Interjurisdictional Fisheries Act of 1986 (IFA) and the Anadromous Fish Conservation Act (AFCA) to authorize appropriations through fiscal year 1998. The bill also would:

Amend the IFA to ease the current limits on grants to commercial fishermen that have suffered uninsured losses as a direct result of a natural disaster; and

Amend the AFCA to lower the amount of assistance that may be obligated annually in any one state from \$1.25 million to \$625,000.

5. Estimated cost to the Federal Government: Assuming appropriation of the authorized amounts, CBO estimates that enacting H.R. 2160 would result in new discretionary spending totaling almost \$20 million over the 1996–2000 period. Additional discretionary spending of about \$1 million would occur after fiscal year 2000. In addition, enacting H.R. 2160 would speed up the rate at which an existing appropriation is spent. Hence, the bill would increase direct spending over the next few years, but have no net effect over the 1996–2000 period.

[By fiscal year, in millions of dollars]

	1996	1997	1998	1999	2000
SPENDING SUBJECT TO APPROPRIATIONS ACTION					
Spending under current law:					
Budget authority	6	0	0	0	0
Estimated outlays ^a	11	21	19	11	0
Proposed changes:					
Authorization level	3	9	9	0	0
Estimated outlays	1	6	8	3	1
Spending under H.R. 2160:					
Estimated budget authority	8	9	9	0	0
Estimated outlays	13	27	27	14	1
CHANGES IN DIRECT SPENDING					
Budget authority	0	0	0	0	0
Estimated outlays ^a	0	5	5	-11	0

^a Includes outlays from an emergency supplemental appropriation of \$53 million in fiscal year 1995.

The costs of this bill fall within budget function 300.

6. Basis of estimate: This estimate assumes that the bill is enacted by the end of fiscal year 1996, and that all authorized amounts are appropriated. Outlays are estimated based on historical spending rates for these programs.

Spending Subject to Appropriations. H.R. 2160 would authorize appropriations totaling \$26.1 million over the 1996–1998 period (\$13.8 million for IFA and \$12.3 million for AFCA). Of the total authorization, however, \$5.6 million has already been appropriated for fiscal year 1996.

Direct Spending. The programmatic changes to IFA would increase the rate at which amounts already appropriated for disaster assistance to commercial fishermen—including \$53 million provided in fiscal year 1995—would be spent. By increasing the rate at which funds that are already appropriated are spent, H.R. 2160 would increase direct spending in fiscal years 1997 and 1998 and would reduce direct spending in 1999. CBO estimates that the bill would increase outlays by about \$5 million in each of fiscal years 1997 and 1998, with a corresponding decrease of nearly \$11 million in 1999. CBO assumes that the bill would not affect the rate of spending in the current year.

7. Pay-as-you-go considerations: Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 sets up pay-as-you-go procedures for legislation affecting direct spending or receipts through 1998. CBO estimates that enactment of H.R. 2160 would affect direct spending by increasing the rate at which already appropriated funds would be spent. Therefore, pay-as-you-go procedures would apply. The increase in 1997–1998 outlays, shown below, would be offset by lower outlays in 1999.

[By fiscal years, in millions of dollars]

	1996	1997	1998
Change in outlays	0	5	5
Change in receipts	NA	NA	NA

8. Estimated impact on State, local, and tribal governments: H.R. 2160 contains no intergovernmental mandates as defined in Public Law 104–4 and would impose no costs on state, local or tribal governments.

The authorizations provided by this bill would be primarily for grants to states. In addition, the bill would make state and local agencies eligible for funds currently available only to private individuals. Earlier amendments to the Interjurisdictional Fisheries Act authorized assistance to commercial fishermen who suffered uninsured losses as a result of certain natural disasters. If H.R. 2160 is enacted, this federal assistance could be provided indirectly through state or local agencies or nonprofit organizations, as well as directly to commercial fishermen. Currently, appropriations of approximately \$50 million are available under this program.

9. Estimated impact on the private sector: H.R. 2160 would impose no new private sector mandates, as defined in Public Law 104-4.

10. Previous CBO estimate: None.

11. Estimate prepared by: Federal Estimate: Gary Brown. State and Local Government Impact: Marge Miller. Private Sector Impact: Amy Downs.

12. Estimate approved by: Paul N. Van de Water, Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 2160 contains no unfunded mandates.

DEPARTMENTAL REPORTS

The Committee has received no departmental reports on H.R. 2160.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 308 OF THE INTERJURISDICTIONAL FISHERIES ACT OF 1986

SEC. 308. AUTHORIZATION OF APPROPRIATIONS.

[(a) GENERAL APPROPRIATIONS.—There are authorized to be appropriated to the Department of Commerce for apportionment to carry out the purposes of this title \$5,000,000 for each of the fiscal years 1989, 1990, 1991, 1992, 1993, 1994, and 1995.]

(a) *GENERAL APPROPRIATIONS.—There are authorized to be appropriated to the Department of Commerce for apportionment to carry out the purposes of this title—*

(1) \$3,400,000 for fiscal year 1996;

(2) \$3,900,000 for fiscal year 1997; and

(3) \$4,400,000 for fiscal year 1998.

* * * * *

(c) DEVELOPMENT OF MANAGEMENT PLANS.—In addition to the amounts authorized under subsections (a) and (b), there are authorized to be appropriated to the Department of Commerce \$350,000 for each of the fiscal years 1989, 1990, 1991, 1992, and

1993, and \$600,000 for each of the fiscal years 1994 and 1995,] \$650,000 for fiscal year 1996, \$700,000 for fiscal year 1997, and \$750,000 for fiscal year 1998, to support the efforts of the following interstate commissions to develop interstate fishery management plans for interjurisdictional fishery resources:

(1) * * *

* * * * *

(d) **[GRANTS] ASSISTANCE TO COMMERCIAL FISHERMEN.**—(1) In addition to the amounts authorized under subsections (a), (b), and (c), there are authorized to be appropriated to the Department of Commerce \$65,000,000 for fiscal year 1992 to enable the Secretary to [award grants to persons engaged in commercial fisheries, for uninsured losses determined by the Secretary to have been suffered] *help persons engaged in commercial fisheries, either by providing assistance directly to those persons or by providing assistance indirectly through State and local government agencies and nonprofit organizations, for projects or other measures to alleviate harm determined by the Secretary to have been incurred as a direct result of a fishery resource disaster arising from Hurricane Hugo, Hurricane Andrew, Hurricane Iniki, or any other natural disaster. Amounts appropriated under this subsection shall remain available until expended.*

(2) The Secretary shall determine the extent, and the beginning and ending dates, of any fishery resource disaster under this subsection.

(3) Eligibility for [a grant] *direct assistance to a person* under this subsection shall be limited to any person that has less than \$2,000,000 in [gross revenues annually,] *net revenues annually from commercial fishing*, as determined by the Secretary.

[(4) A person may receive a grant under this subsection for up to 75 percent of any uninsured commercial fishery loss resulting from such a fishery resource disaster (to the extent that such losses have not been compensated by other Federal and State programs), but shall receive no more than \$100,000 in the aggregate for all such losses suffered as a result of any particular fishery resource disaster.]

(4)(A) *Assistance may not be provided under this subsection as part of a fishing capacity reduction program in a fishery unless the Secretary determines that adequate conservation and management measures are in place to rebuild the fishery over a reasonable time period.*

(B) *As a condition of awarding assistance with respect to a vessel under a fishing capacity reduction program, the Secretary shall—*

(i) prohibit the vessel from being used for fishing; and

(ii) require that the vessel be—

(I) scrapped or otherwise disposed of in a manner approved by the Secretary; or

(II) donated to a nonprofit organization and thereafter used only for purposes of research, education, or training.

(C) *A vessel that is prohibited from fishing under subparagraph (B) shall not be eligible for a fishery endorsement under section 12108(a) of title 46, United States Code, and any such endorsement for the vessel shall not be effective.*

(5) The Secretary shall establish, after notice and opportunity for public comment, appropriate limitations, terms, and conditions [for awarding grants under this subsection, including provisions specifying the means by which applicants must demonstrate claimed losses and limiting the aggregate amounts that may be paid to persons that are affiliated with each other or under common ownership.] *for receiving assistance under this subsection.*

(6) As used in this subsection, the term "person" means any individual or any corporation, partnership, trust, association, or other nongovernmental entity.

SECTION 4 OF THE ANADROMOUS FISH CONSERVATION ACT

[SEC. 4. (a) There are authorized to be appropriated to carry out the purposes of this Act not to exceed the following sums:

[(1) \$11,000,000 for fiscal year 1980.

[(2) \$13,000,000 for fiscal year 1981.

[(3) \$15,000,000 for fiscal year 1982.

[(4) \$7,500,000 for each of fiscal years 1983, 1984, 1985, and 1986.

[(5) \$7,702,500 for fiscal year 1987.

[(6) \$7,920,000 for fiscal year 1988.

[(7) \$8,152,500 for fiscal year 1989.

Sums appropriated under this subsection are authorized to remain available until expended.

[(b) Not more than \$1,125,000 of the funds appropriated under this section in any one fiscal year shall be obligated in any one State.]

SEC. 4. (a)(1) There are authorized to be appropriated to carry out the purposes of this Act not to exceed the following sums:

(A) \$4,000,000 for each of fiscal years 1996 and 1997.

(B) \$4,250,000 for fiscal year 1998.

(2) Sums appropriated under this subsection are authorized to remain available until expended.

(b) Not more than \$625,000 of the funds appropriated under this section in any one fiscal year shall be obligated in any one State.

ADDITIONAL VIEWS

H.R. 2160, as amended by the Committee, removes a limit on spending authority in the Interjurisdictional Fisheries Act, allowing the Secretary of Commerce to proceed with a fishing vessel buyout program in New England to remove fishing effort from the decimated groundfish fishery. I support this measure and the passage of the bill. I have been concerned, however, that the buyout alone may be regarded by some as sufficient to rebuild the depleted groundfish stocks and used as justification to oppose the adoption of or to weaken desperately needed conservation measures which are now under consideration by the Secretary. Provisions added to the legislation at markup will prevent that from happening.

After years of warnings from scientists and fisheries managers that better conservation was needed, groundfish stocks in New England have now reached perilously low levels. Despite the best intentions of the New England Fishery Management Council, the current groundfish management plan will *not* rebuild the overfished stocks. Drastic reductions in fishing effort will be required to achieve that goal. While a vessel buyout is intended to reduce effort over time, it will be a gradual process and will not produce the level of effort reduction identified as necessary by National Marine Fisheries Service (NMFS) scientists and fisheries managers. For that reason, a buyout cannot be considered a substitute for the conservation measures that will be needed to restore the groundfish fishery.

The painful reality we face in New England has taught us that the ability to conduct a federally funded vessel buyout in New England, or anywhere else in the United States, must be directly dependent upon the adoption of a conservation and management plan to rebuild the stocks. Otherwise, scarce taxpayer dollars will be spent with no visible result other than the removal of a limited number of boats from the fishery.

In recognition of the important connection between a rebuilding plan and a vessel buyout, the Committee delayed consideration of H.R. 2160 for three months to ensure that the New England Fishery Management Council adopted a rebuilding plan for the depleted groundfish stocks that was based on the recommendations of the NMFS scientists. Such a plan (known as Amendment #7), has been developed by the Council and forwarded to the Secretary of Commerce for final approval and implementation. The provisions added to this bill ensure that the rebuilding plan must be approved before the large-scale vessel buyout may proceed.

Therefore, with the passage of H.R. 2160, it is clear that the Committee and the Congress, while supportive of a buyout, do not intend to undermine the approval of Amendment #7 and any other measures needed to save the groundfish stocks and the fishing industry.

GERRY E. STUDDS.

